

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6175**

**BILL NUMBER: SB 83**

**NOTE PREPARED:** Jan 24, 2008

**BILL AMENDED:** Jan 16, 2008

**SUBJECT:** Motor Vehicle Violations Report.

**FIRST AUTHOR:** Sen. Wyss

**FIRST SPONSOR:** Rep. Tincher

**BILL STATUS:** As Passed Senate

**FUNDS AFFECTED:** ☒ **GENERAL**  
☐ **DEDICATED**  
☐ **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) *Abstract Transmitting*- The bill requires the prosecuting attorney of each county to transmit to the Prosecuting Attorneys Council (PAC) an abstract of each motor vehicle: (1) felony, misdemeanor, or infraction committed by a person who holds a commercial driver's license (CDL); or (2) felony or misdemeanor committed by a person who does not hold a CDL; filed with the prosecuting attorney during the previous calendar year.

*Statewide Report*- The bill requires the PAC to compile the reports transmitted by the prosecuting attorneys into a statewide report and transmit the compiled report to the Legislative Council. The bill provides that the reporting ends January 1, 2014.

(The introduced version of this bill was prepared by the Interim Study Committee on Transportation Matters.)

**Effective Date:** January 1, 2009.

**Explanation of State Expenditures:** *Abstract Transmitting*- Requiring the PAC to compile and transmit data may result in minor costs. The fund affected is the state General Fund.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** *Abstract Transmitting*- Requiring the transmission of abstracts to the PAC should result in no additional expenditures to the 90 prosecuting attorneys in the state.

*Background Information on Commercial Motor Vehicle Violations-* Below is a table which shows the number of CDL cases in Indiana for FY 2006. The Judicial Technology and Automation Commission (JTAC) provided a summary of all CDL cases that Indiana's Trial courts disposed of between July 1, 2005, and June 30, 2006, the most recent year for which complete data are available.

<b>Findings of Traffic Cases Involving CDL Holders Sent to the Bureau of Motor Vehicles Between July 1, 2005, and June 30, 2006.</b>								
<b>Case Type</b>	<b>Deferred</b>	<b>Dismissed</b>	<b>Guilty</b>	<b>Nolle Prosse</b>	<b>Non Pointable</b>	<b>Not Guilty</b>	<b>Probable Cause Court Finding</b>	<b>Grand Total</b>
Felony A			1					1
Felony B		1	3				1	5
Felony C			5				3	8
Felony D	1	13	90		5		169	278
Misdemeanor	7	69	551		26	1	835	1,489
Infractions	3	32	20,863	1	1,072			21,971
Ordinance Violations			851		59			910
<b>Grand Total</b>	<b>11</b>	<b>115</b>	<b>22,364</b>	<b>1</b>	<b>1,162</b>	<b>1</b>	<b>1,008</b>	<b>24,662</b>

The JTAC staff reported 24,662 cases involving CDL license holders over this 12-month period. This equates to an average of 274 cases per county prosecutor per year. The number of non-CDL violations involving felonies and misdemeanors is unknown, but would add some to this total. The number of cases would vary by prosecutor.

**Explanation of Local Revenues:**

**State Agencies Affected:** Prosecuting Attorneys Council; Legislative Council.

**Local Agencies Affected:** Prosecuting Attorneys.

**Information Sources:** Judicial Technology and Automation Commission

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